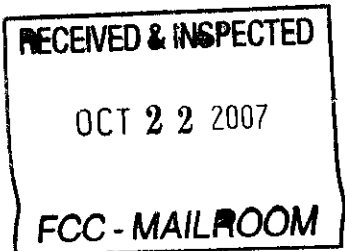


DOCKET FILE COPY ORIGINAL

BEFORE THE  
FEDERAL COMMUNICATION COMMISSION  
WASHINGTON, DC 20554



In the Matter of ) EB Docket No. 07-13  
 )  
 ) FRN No. 0002074797  
 ) File No. EB-06-IH-5048  
 )  
David L. Titus ) Notice of Intent to Retain Expert  
 ) Witness  
 )  
Amateur Radio Operator and Licensee )  
of Amateur Radio Station KB7ILD )

To: Richard L. Sippel  
Chief Administrative Law Judge

1. By *David L. Titus*, Order, FCC 07M-40 (ALJ, rel. October 16, 2007),  
the Presiding Judge Ordered Mr. David L. Titus "...to categorically  
state whether or not he intends to retain an expert witness to  
testify on his behalf."
2. At this date *Mr. David L. Titus* hereby states that he does intend to  
retain an expert witness to testify on his behalf. Mr. Titus has  
allocated from his monthly salary to pay for the expert witness  
services.

Dated this 18<sup>th</sup> day of October, 2007

*David L. Titus*

David L. Titus  
1425 Broadway #304  
Seattle, WA 98122

No. of Copies rec'd 001  
List ABCDE

BEFORE THE  
FEDERAL COMMUNICATION COMMISSION  
WASHINGTON, DC 20554

In the Matter of	)	EB Docket No. 07-13
	)	
	)	FRN No. 0002074797
	)	File No. EB-06-IH-5048
	)	
<b>David L. Titus</b>	)	<b>Declaration of Inability to Mail</b>
	)	
	)	
Amateur Radio Operator and Licensee	)	
of Amateur Radio Station KB7ILD	)	

To: Richard L. Sippel  
Chief Administrative Law Judge

On this 18<sup>th</sup> day of October, 2007 Mr. David L. Titus was unable to complete the mailing of the *Notice of Intent to Retain Expert Witness* due to a power outage. Presumably the power went out due to a high power wind storm in the Puget Sound area. Power was not restored at Mr. Titus' residence and surrounding area until approximately 8:00pm PST.

Mr. Titus did attempt to mail the *Notice of Intent to Retain Expert Witness* before the end of the business day on the 18<sup>th</sup> day of October, 2007. Due to the power outage, however, Mr. Titus was unsuccessful in his mailing efforts due to the unexpected early closure of mailing facilities in the area.

Dated this 18<sup>th</sup> day of October, 2007

David L. Titus

David L. Titus  
1425 Broadway #304  
Seattle, WA 98122

**CERTIFICATE OF SERVICE**

David L. Titus certifies that on this 19<sup>th</sup> day of October, 2007 he sent via overnight courier the original and six copies of the *Notice of Intent to Retain Expert Witness and Declaration of Inability to Mail to:*

Marlene H. Dortch, Secretary  
Federal Communications Commission  
445 12<sup>th</sup> Street, SW  
Washington, DC 20554

And copies were deposited in the United States mail, with postage prepaid thereon, to:

Chief Administrative Law Judge Richard L. Sippel\*  
Federal Communications Commission  
445 12<sup>th</sup> Street, SW, Suite 1-C768  
Washington, DC 20554;

Gary Schonman  
Special Counsel  
Investigations and Hearings Division  
Federal Communications Commission  
445 12<sup>th</sup> Street, SW, Room 4-C330  
Washington, DC 20554;

William Knowles-Kellett  
Attorney  
Investigations and Hearings Division  
Federal Communications Commission  
445 12<sup>th</sup> Street, SW, Room 4-C330  
Washington, DC 20554

\*Facsimile only to 202.418.0195

Courtesy .PDF copies emailed to: gary.schonman@fcc.gov, william.knowles-kellett@fcc.gov & mary.gosse@fcc.gov (for Richard L. Sippel)

Dated this 19<sup>th</sup> day of October, 2007



David L. Titus  
1425 Broadway #304  
Seattle, WA 98122